

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CATHERINE McKOY, MARKUS FRAZIER, and
LYNN CHADWICK, individually and on behalf of
all others similarly situated,

Case No. 18-cv-09936 (LGS) (SLC)

Plaintiffs,

v.

THE TRUMP CORPORATION, DONALD J.
TRUMP, in his personal capacity,
DONALD TRUMP JR., ERIC TRUMP,
and IVANKA TRUMP,

**STIPULATION AND [PROPOSED]
ORDER ON DISMISSAL OF
CERTAIN DEFENDANTS AND
ADMISSABILITY OF EVIDENCE**

Defendants.

-----X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys
for the parties hereto, as follows:

1. In order to streamline and focus the issues to be adjudicated at trial, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs dismiss, with prejudice, their claims in the above-captioned action against Donald J. Trump, Jr., Eric Trump and Ivanka Trump only (the “Dismissed Defendants”), with each party to bear their own attorneys’ fees and costs.
2. Notwithstanding said dismissal, pursuant to the stipulated agreement of the parties, the discovery responses and deposition testimony of the Dismissed Defendants may be used in connection with dispositive motions and at trial of this action, whether as substantive evidence or impeachment evidence, and the Dismissed Defendants’ discovery responses, deposition testimony, and other statements in the record shall be deemed admissible under Federal Rule of Civil Procedure 32 and Federal Rule of Evidence 801 to the same extent that would be permitted if the Dismissed Defendants remained parties to the litigation,

without waiver of any party's right to object to the admissibility of any such discovery responses and deposition testimony on grounds other than their dismissal as defendants.

3. The caption of this action shall be amended to read as follows:

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THE TRUMP CORPORATION and DONALD J.
TRUMP, in his personal capacity,

Defendants.

-----X

IT IS SO ORDERED.

Date: _____, 2023

Hon. Lorna G. Schofield
United States District Judge

Dated: New York, New York
May 18, 2023

Respectfully submitted,

/s/ John C. Quinn

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